



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

18 December 2009

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AB = Assembly Bill
ADR = Antidegradation review
ARB = Air Resource Board
AZT = Zidovudine
BART = Best available retrofit technology
BMP = Best management practice
CAA = Clean Air Act
CAS = Chemical Abstract Service
CCR = *California Code of Regulations*; also *Colorado Code of Regulations*
CDPHE = Colorado Department of Public Health and Environment
CFR = *Code of Federal Regulations*
CIU = Categorical industrial user
COMAR = Code of Maryland Regulations
CRNR = California Regulatory Notice Register
CTG = Control Techniques Guidelines
DAPC = Division of Air Pollution Control
DAR = Division of Administrative Rules
DLLR = Department of Labor, Licensing and Regulation (Maryland)
EBTE = Ethyl-tert-butyl ether
ECF = Emission comparable fuel
ECHA = European Chemicals Agency
EPA = U.S. Environmental Protection Agency
F.A.C. = Florida Administrative Code
FAW = *Florida Administrative Weekly*
FDEP = Florida Department of Environmental Protection
FEMA = Federal Emergency Management Agency
FIP = Federal Implementation Plan
FR = *Federal Register*
F.S. = Florida Statute
GHG = Greenhouse gas
GIS = Geographic information system
HCFC = Hydrochlorofluorocarbons
ICLUS = Integrated Climate and Land Use Scenarios
ICS = Incident Command System
IRIS = Integrated Risk Information System
IU = Industrial user
kg = Kilogram
kg/day = Kilogram per day
Md.R. = *Maryland Register*
NAAQS = National Ambient Air Quality Standards

NASA = National Aeronautics and Space Administration
NCSIU = Non-Significant Categorical Industrial User
NESHAP = National Emissions Standards for Hazardous Air Pollutants
NO_x = Nitrogen oxides
NSPS = New Source Performance Standards
NSR = New Source Review
OAC = Ohio Administrative Code
ODS = Ozone depleting substances
OEPA = Ohio Environmental Protection Agency
OSHA = Occupational Safety and Health Administration
PERP = Portable Equipment Registration Program
PM = Particulate matter
PM2.5 = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
ppb = Parts per billion
PSD = Prevention of Significant Deterioration
RACT = Reasonably Available Control Technology
RCRA = Resource Conservation and Recovery Act
REACH = Registration, Evaluation, Authorisation and Restriction of Chemical Substances
RIN = Regulatory Identification Number
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SERGoM = Spatially Explicit Growth Model
SIP = State Implementation Plan
SIU = Significant Industrial User
SJRWMD = St. Johns River Water Management District
SJVAPCD = San Joaquin Valley Unified Air Pollution Control District
SO₂ = Sulfur dioxide
TAME = Tert-Amyl methyl ether
TMDL = Total maximum daily load
UAC = Utah Administrative Code
UIC = Underground injection control
U.S. = United States
UST = Underground Storage Tanks
VAC = Virginia Administrative Code
Va.R. = *Virginia Register*
VOC = Volatile organic compound

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED12182009-1	Air GHG— Endangerment Finding	12/15/2009	74 FR 66495	Final Rule	<p>Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act [40 CFR Chapter I]</p> <p>Finds that six GHGs, including carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, taken in combination endanger public health and welfare. Also finds that the combined emissions of these GHGs from new motor vehicles and new motor vehicle engines contribute to GHG air pollution. Effective 01/14/2010. [RIN 2060-ZA14]</p> <p>See Section 1.2.1 below for further information.</p>	
FED12182009-2	Air NAAQS—Ozone and PM2.5	12/07/2009	74 FR 64076	Notice	<p>Proposed Consent Decree, Clean Air Act Citizen Suit</p> <p>Notice of a proposed consent decree to address a lawsuit alleging that EPA failed to either approve an SIP or to promulgate an FIP for California, Colorado, Idaho, New Mexico, North Dakota, Oklahoma, and Oregon to satisfy the requirements of the 1997 NAAQS for 8-hour ozone and PM2.5. Under the terms of the proposed consent decree, deadlines are established for EPA to take action. Deadline dates vary depending on the requirements for each state. Comments due 01/06/2010.</p>	
FED12182009-3	Air NAAQS—Particulate Matter	12/15/2009	74 FR 66353	Notice	<p>Integrated Science Assessment for Particulate Matter</p> <p>Announces the availability of a final document titled, "Integrated Science Assessment for Particulate Matter." Document was prepared as part of the review of the NAAQS for particulate matter.</p>	
FED12182009-4	Air NAAQS—SO ₂	12/08/2009	74 FR 64809	Proposed Rule	<p>Primary National Ambient Air Quality Standard for Sulfur Dioxide [40 CFR Parts 50, 53, and 58]</p> <p>Proposes to revise the primary SO₂ NAAQS to establish a new 1-hour SO₂ standard within the range of 50 to 100 ppb. Also proposes to revoke both the existing 24-hour (1,400 ppb) and annual primary (30 ppb) SO₂ standards. Comments due 01/07/2010. Public hearing scheduled for 01/05/2010 in Atlanta, Georgia. [RIN 2060-A048]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED12182009-5	Air NESHAP–Gasoline Distribution and Dispensing	12/15/2009	74 FR 66469	Proposed Rule	<p>National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities [40 CFR Parts 9 and 63]</p> <p>Proposes amendments and clarifications to certain definitions and applicability provisions of NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities in response to some of the issues raised in the two petitions for reconsideration. Also addresses several other compliance-related questions. Comments due 02/16/2010. [RIN 2060-AP16]</p>	Facilities that have gasoline-dispensing operations should be aware of the proposed changes.
FED12182009-6	Air NSPS, NESHAP, and ODS	12/07/2009	74 FR 64078	Notice	<p>Recent Posting to the Applicability Determination Index Database System of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources, NESHAP, and the Stratospheric Ozone Protection Program</p> <p>Announces applicability determinations, alternative monitoring decisions, and regulatory interpretations that EPA has made under the NSPS, NESHAP, and Stratospheric Ozone Protection Programs that recently have been posted to the Applicability Determination Index.</p>	
FED12182009-7	Air NSR and PSD–Fugitive Emissions	12/11/2009	74 FR 65692	Interim Final Rule	<p>Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Inclusion of Fugitive Emissions; Interim Final Rule; Stay</p> <p>Issues an interim final determination to provide an additional stay of the regulations concerning the inclusion of fugitive emissions. Recent regulations (73 FR 77882, 12/19/2008) would require fugitive emissions to be included in determining whether a physical or operational change results in a major modification for certain types of sources, including some chemical manufacturing operations and electric services, among others. Stay is effective 12/31/2009 through 03/30/2010.</p>	
FED12182009-8	Air ODS	12/15/2009	74 FR 66411	Final Rule	<p>Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export [40 CFR Part 82]</p> <p>Adjusts the allowance system controlling U.S. consumption and production of HCFCs. Allocates production and consumption allowances for HCFC 22 and HCFC 142b, as well as other HCFCs for which allowances were not allocated previously, for the control periods 2010 through 2014. Also establishes baselines for HCFCs. Effective 01/01/2010. [RIN 2060-A076]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED12182009-9	Air ODS	12/15/2009	74 FR 66449	Final Rule	Protection of Stratospheric Ozone: Ban on the Sale or Distribution of Pre-Charged Appliances [40 CFR Part 82] Bans the sale or distribution of air-conditioning and refrigeration appliances containing HCFC 22, HCFC 142b, or blends containing one or both of these substances, beginning 01/01/2010. Also bans the sale or distribution of air-conditioning and refrigeration appliance components that are pre-charged with HCFC 22, HCFC 142b, or blends containing one or both of these controlled substances as the refrigerant. Applies only to appliances and components manufactured on or after 01/01/2010. Effective 01/01/2010. [RIN 2060-AN58]	
FED12182009-10	Climate Change GIS Tools	12/08/2009	74 FR 64687	Notice	ICLUS SERGoM v3 User's Manual: ArcGIS Tools and Datasets for Modeling U.S. Housing Density Growth Announces public comment period for the draft tool and its documentation titled, " ICLUS SERGoM v3 User's Manual: ArcGIS Tools and Datasets for Modeling US Housing Density Growth ." Tool can be used to vary housing density and other allocation assumptions used to run land use scenarios for the conterminous U.S. ICLUS is a project described in the 2009 EPA report, " Land-Use Scenarios: Nation-Scale Housing-Density Scenarios Consistent with Climate Change Storylines ." Comments due 01/07/2010.	
FED12182009-11	Emergency Response Incident Management	12/16/2009	74 FR 66666	Notice	Federal Emergency Management Agency Incident Command System (ICS) Forms Booklet FEMA 502-2 Requests public comments on revisions to the National Incident Management System ICS Forms Booklet, FEMA 502-2. The booklet was developed to assist emergency response personnel in the use of the ICS and corresponding documentation during incident operations. Comments due 01/15/2010.	
FED12182009-12	Hazardous Materials Transportation Chemical Oxygen Generators	12/11/2009	74 FR 65696	Final Rule	Pipeline and Hazardous Materials Safety Administration Hazardous Materials: Chemical Oxygen Generators [49 CFR Part 172] Confirms the effective date of amendments to the Hazardous Materials Regulations that revised the quantity limitation from 25 kg "gross" to 25 kg "net" for packages of chemical oxygen generators transported aboard cargo aircraft only (74 FR 52896 , 10/15/2009). Effective 11/16/2009. [RIN 2137-AE49]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED12182009-13	Hazardous Waste Emission Comparable Fuel	12/08/2009	74 FR 64643	Proposed Rule	<p>Withdrawal of the Emission-Comparable Fuel Exclusion Under RCRA [40 CFR Part 261]</p> <p>Proposes to withdraw the conditional exclusion for ECF. These are fuels produced from hazardous secondary materials that, when burned in industrial boilers under specified conditions, generate emissions comparable to emissions from burning fuel oil in those boilers. Proposes to withdraw this conditional exclusion because ECF appears to be better regarded as a discarded material and regulated as a hazardous waste. The exclusions for comparable fuel and synthesis gas fuel are not addressed or affected by this proposed rule. Comments due 01/22/2010. [RIN 2050-AG57]</p>	
FED12182009-14	Oceans	12/18/2009	74 FR 67178	Notice	<p>Council on Environmental Quality</p> <p>Interagency Ocean Policy Task Force-- Interim Framework for Effective Coastal and Marine Spatial Planning</p> <p>Notice of availability of the Interagency Ocean Policy Task Force's "Interim Framework for Effective Coastal and Marine Spatial Planning." Comments due 02/12/2010.</p>	
FED12182009-15	Radiation Planned Special Exposures	12/14/2009	74 FR 66163	Notice	<p>Nuclear Regulatory Commission</p> <p>Draft Regulatory Guide: Issuance, Availability</p> <p>Issues draft regulatory guide entitled "Planned Special Exposures" for public comment. Document provides guidance about the conditions and prerequisites for permitting planned special exposures of adult workers (doses in addition to and accounted for separately from the doses received under the limits specified under regulations for occupational dose limits for adults). Comments due 03/11/2010.</p>	
FED12182009-16	Railroads Accidents/Incidents	12/10/2009	74 FR 65458	Final Rule	<p>Federal Railroad Administration</p> <p>Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents for Calendar Year 2010 [49 CFR Part 225]</p> <p>Increases the rail equipment accident/incident reporting threshold from \$8,900 to \$9,200 for certain railroad accidents or incidents involving property damage that occur during calendar year 2010. Effective 01/01/2010. [RIN 2130-ZA02]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED12182009-17	Regulatory Agenda	12/07/2009	74 FR 64137	Semiannual Agenda	<p>Regulatory Information Service Center</p> <p>Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions</p> <p>Introduces the semiannual regulatory agenda for fall 2009, which contains the plans and rulemaking agendas of certain federal entities. Published to update the public about the following:</p> <ul style="list-style-type: none"> Regulations and major policies currently under development Reviews of existing regulations and major policies Rules and major policy makings completed or canceled since the last agenda <p>This edition of the FR contains the agendas for agencies that may be of interest to NASA, including the following:</p> <ul style="list-style-type: none"> Department of Labor (OSHA)– 74 FR 64462 EPA–74 FR 64496 NASA (General Services)– 74 FR 64518 	
FED12182009-18	Solar Telescope	12/08/2009	74 FR 64744	Notice	<p>National Science Foundation</p> <p>Notice of Record of Decision</p> <p>Announces a Record of Decision approving the funding for the construction of the Advanced Technology Solar Telescope Project at the Preferred Mees site in the Haleakala High Altitude Observatory on the Island of Maui, Hawaii. Despite anticipated environmental impacts, the construction of the project represents an opportunity to implement a critical and unique astronomical resource. The telescope is expected to increase our understanding of the Sun and its ability to affect life on Earth, which will help predict certain catastrophic events and address potential consequences.</p>	
FED12182009-19	Species Listing Decisions	12/16/2009	74 FR 66865	Notice	<p>U. S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Partial 90-Day Finding on a Petition to List 475 Species in the Southwestern United States as Threatened or Endangered with Critical Habitat [50 CFR Part 17]</p> <p>Announces a 90-day finding on 192 species from a petition to list 475 species in the southwestern U.S. as threatened or endangered. Found that the petition presents substantial scientific or commercial information indicating that listing may be warranted for only 67 of the 192 species. Initiates a status review of the 67 species to determine if listing is warranted. Comments due 02/16/2010.</p>	
FED12182009-20	Toxic Substances 1,1,2,2-Tetrachloroethane	12/17/2009	74 FR 66963	Notice	<p>External peer-review workshop to review the external review draft document titled, "Toxicological Review of 1,1,2,2-Tetrachloroethane: In Support of Summary Information on the Integrated Risk Information System." Workshop scheduled for 01/27/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED12182009-21	Toxic Substances Toxicological Profiles	12/17/2009	74 FR 66978	Notice	Agency for Toxic Substances and Disease Registry Availability of Draft Toxicological Profiles Announces the availability of the 23rd set of toxicological profiles , which consists of three new and two updated drafts. The new or updated drafts include the following profiles: <ul style="list-style-type: none"> ▪ Acrylamide ▪ Carbon Monoxide ▪ 1,3-Butadiene ▪ Phosphate Ester Flame Retardants ▪ Vanadium Comments due 02/26/2010.	
FED12182009-22	Toxic Substances Trichloroethylene	12/11/2009	74 FR 65775	Notice	Draft Toxicological Review of Trichloroethylene: In Support of the Summary Information in the Integrated Risk Information System Announces a listening session for the external review draft document entitled, " Toxicological Review of Trichloroethylene: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Listening session to be held 01/12/2010. A note on the IRIS website indicates that this notice was posted in error, and that the actual date of the listening session will be posted soon.	

1.2 Other News and Developments

1.2.1 EPA's Endangerment Finding

EPA announced its finding that GHGs threaten the public health and welfare of the American people. EPA also finds that GHG emissions from on-road vehicles contribute to that threat.

EPA's findings respond to the 2007 U.S. Supreme Court decision that GHGs fit within the CAA definition of air pollutants. The findings do not impose any emission reduction requirements, but rather establish the necessary conditions to allow EPA to finalize the GHG standards proposed earlier this year for new light-duty vehicles as part of the joint rulemaking with the Department of Transportation.

EPA's endangerment finding covers emissions of six key GHGs: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Further information regarding EPA's findings can be found on the rulemaking [website and in the RRAC PC summary document](#).

1.2.2 EPA Releases Guidance to Help Federal Facilities Better Manage Storm Water

EPA has issued guidance to help federal agencies minimize the impact of development projects on nearby water bodies. The guidance is being issued in response to a statutory requirements and [Executive Order 13514](#), which calls upon all federal agencies to lead by example to address a wide range of environmental issues, including storm water runoff.

EPA worked closely with other federal agencies to develop this document, which provides background information, key definitions, case studies, and guidance on meeting the new requirements of the Energy Independence and Security Act of 2007.

Under the new requirements, federal agencies must minimize storm water runoff from federal development projects to protect water resources. Federal agencies can comply using a variety of storm water management practices often referred to as “green infrastructure” or “low-impact development” practices, including reducing impervious surfaces, using vegetative practices, using porous pavements, and installing green roofs.

More information regarding the guidance can be found on EPA’s [website](#).

1.2.3 ECHA Starts to Publish Information on Safe Use of Chemicals for Citizens

The European Chemicals Agency (ECHA) has published on its [website](#) hazard and safe-use information regarding chemical substances that have been registered under the European Union’s Registration, Evaluation, Authorisation and Restriction of Chemical Substances (REACH) regulation. The database is intended to facilitate making well-informed decisions about the use of chemicals or articles containing chemicals. The information was provided by companies who manufacture or import these substances. ECHA will update the database as additional information is submitted.

1.2.4 The 2010 HCFC Regulations

EPA has announced two final rules that implement the next step of the phase-out of ODSs, advancing U.S. compliance under the CAA and the Montreal Protocol on Substances that Deplete the Ozone Layer. The rules reduce the availability and use of HCFCs, which are Class II ODSs used in applications such as refrigeration, precision cleaning, foam blowing, and others. The first rule prohibits the use of specific HCFCs to manufacture new air-conditioning and refrigeration equipment beginning in 2010, while allowing limited HCFC use to service existing equipment. It also sets production and consumption allowances for specific HCFCs, including HCFC 225ca and HCFC 225cb. The second rule prohibits the sale, distribution, and import of air-conditioning and refrigeration appliances and their components containing certain HCFCs that are manufactured or imported after 1 January 2010. Further information can be found on EPA’s [website](#) and in the [RRAC PC rule summary](#).

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA12182009-1	Air Diesel Engines	12/18/2009	CRNR 2009.51z, p. 2192	Final Rule	Air Resources Board Trucks/Bus Rule 2008 [13 CCR 1956.8, 2020, 2022, 2022.1, 2027, 2449, 2449.3, 2451, 2452, 2453, 2455, 2456, 2458, 2461, 2462, 2479, 2485, 17 CCR 93116.1, 93116.2, 93116.3, 93116.5] Amends regulations relating to diesel engine emissions control, the voluntary portable equipment registration program, vehicles and equipment used at seaports and rail yards, compliance timetables, and off-road diesel-powered vehicles and equipment. Amendments are intended to coordinate with recent regulations to control PM and NO _x emissions from medium- and heavy-duty trucks and buses. Effective 12/03/2009.	
CA12182009-2	Air GHGs - On-Road Vehicles	12/18/2009	CRNR 2009.51z, p. 2192	Final Rule	Air Resources Board GHG Emissions From Heavy-Duty Vehicles 2008 [17 CCR 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, 95311] Rule is one of the "discrete early action measures" required under AB 32, intended to reduce GHG emissions. Requires on-road tractors and trailers to be equipped with technologies that improve fuel efficiency. Also requires the use of Smartway-certified tractors and trailers and Smartway-approved aerodynamic technologies and low-rolling resistance tires. Effective 01/01/2010.	
CA12182009-3	Air Diesel Engines	12/18/2009	CRNR 2009.51z, p. 2192	Final Rule	Air Resources Board Truck/Bus Rule 2008 [13 CCR 2025] Requires in-use heavy-duty trucks, medium-heavy-duty trucks, and buses powered by diesel engines to progressively add the best available emission control technology for fine particulate matter and oxides of nitrogen to their engines over a period of phased-in implementation culminating in the year 2023. Further information is posted on the ARB website . Effective 01/08/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA12182009-4	Air Diesel Engines	12/11/2009	CRNR 2009. 50z, p. 2099	Notice Public Hearing	Air Resources Board Verification Procedures 2010 [13 CCR 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, and proposed adoption of new Section 2711] Announces a hearing on proposed amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines. The proposed amendments would revise, clarify, and make specific requirements that pertain to the process for obtaining the ARB's verification of devices or strategies to control emissions from diesel engines. Further information is available on the ARB website . The hearing will be held 01/28/2010 in Sacramento, California.	
CA12182009-5	Air Diesel Engines	12/11/2009	CRNR 2009. 50z, p. 2104	Notice Public Hearing	Air Resources Board Portable Diesel Engines and Diesel Engines used in Off-road and On-road vehicles [13 CCR 2451, 2452, 2453, 2456, 2458, 2460, 2461 and 2462. 17 CCR 93116.1, 93116.2 and 93116.3] Announces a hearing on proposed amendments to the statewide PERP Regulation, the Airborne Toxic Control Measure for Diesel-Fueled Portable Engines, the Regulation for In-Use Off-Road Diesel-Fueled Vehicles, and the Regulation for In-Use On-Road Heavy-Duty Diesel-Fueled Vehicles. Further information is available on the ARB website . The hearing will be held on 01/28/2010 in Sacramento, California.	
CA12182009-6	Air SIP	12/09/2009	74 FR 65042	Proposed Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District. Proposes a limited approval and limited disapproval of revisions to the SJVAPCD portion of the SIP. These revisions concern NO _x emissions from solid fuel-fired boilers, steam generators, and process heaters. Comments due 01/08/2010.	
CA12182009-7	Land Use Sacramento – San Joaquin Delta	12/11/2009	CRNR 2009. 50z, p. 2109	Notice Public Hearing	Delta Protection Commission Governing Land Use and Resource Management in the Primary Zone of the Delta [14 CCR 20030-20110] Proposes to amend policies governing land use and resource management in the Primary Zone of the Sacramento–San Joaquin Delta. The changes primarily amend, delete, and add introduction, overview, goals, policies, and glossary sections of the " Land Use and Resource Management Plan for the Primary Zone of the Delta " to ensure the maintenance of a comprehensive land use and resource management plan for the Delta. Public hearing will be held 01/28/2010 in Sacramento, California.	
CA12182009-8	Natural Resources Fees	12/11/2009	CRNR 2009. 50z, p. 2151	Final Rule	Department of Fish and Game Fees for Lake or Streambed Alteration Agreements [14 CCR 699.5] Adjusts the fees charged by the California Department of Fish and Game for processing applications for lake and streambed alteration agreements. Effective 01/01/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA12182009-9	Occupational Safety Augers	12/11/2009	CRNR 2009, 50z, p. 2151	Final Rule	Occupational Safety and Health Standards Board Momentary Contact Devices for Portable Power Driven Augers [8 CCR 4086] Requires portable power drive augers to be equipped with a momentary contact device (a switch that turns power equipment off when the operator lets go of the equipment). Effective 01/01/2010. Further information is posted on the Board's website.	
CA12182009-10	Oil Pollution Spills	12/18/2009	CRNR 2009, 51z, p. 2165	Proposed Rule	Office of Spill Prevention and Response Oil Spill Contingency Plans [14 CCR 820.01] Proposes to amend above section pertaining to the Drills and Exercise requirements for Oil Spill Contingency Plans. Comments due 02/02/2010.	
CA12182009-11	Proposition 65	12/11/2009	CRNR 2009, 50z, p. 2136	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State to Cause Cancer or Reproductive Toxicity [27 CCR 27001, 25306] Adds molinate to the list of chemicals known to the state to cause reproductive toxicity. Effective 12/11/2009.	
CA12182009-12	Proposition 65	12/18/2009	CRNR 2009, 51z, p. 2190	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State to Cause Cancer or Reproductive Toxicity [27 CCR 27001] Adds wood dust, AZT, TAME, and EBTE to the list of chemicals known to the state to cause reproductive toxicity. Effective 12/18/2009.	
CA12182009-13	Species Santa Ana Sucker	12/09/2009	74 FR 65056	Proposed Rule	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for the Santa Ana Sucker (<i>Catostomus santaanae</i>); Propose to revise the designated critical habitat for the Santa Ana sucker. Currently, 8,305 acres of critical habitat in Los Angeles County are designated. Approximately 9,605 acres of habitat in the Santa Ana River (San Bernardino, Riverside, and Orange counties) and the San Gabriel River and Big Tujunga Creek (Los Angeles County) in southern California fall within the boundaries of the proposed revised critical habitat designation. Comments due 02/08/2010.	
CA12182009-14	Species Thread-Leaved Brodiaea	12/08/2009	74 FR 64929	Proposed Rule	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Proposed Revised Critical Habitat for Brodiaea Filifolia (Thread-Leaved Brodiaea) [50 CFR 17] Proposes to revise designated critical habitat for thread-leaved brodiaea. Approximately 3,786 acres of habitat fall within the boundaries of the proposed revised critical habitat designation, which is located in Los Angeles, San Bernardino, Riverside, Orange, and San Diego counties in southern California. Comments due 02/08/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA12182009-15	Water Conveyance	12/11/2009	CRNR 2009.50z, p. 2116	Proposed Rule	Department of Fish and Game South Bay Aqueduct Improvement and Enlargement Project Proposes to improve and enlarge the conveyance capacity of the South Bay Aqueduct in Alameda County. The project area extends approximately 16.28 miles from the South Bay Pumping Plant at Bethany Reservoir east of the Altamont Hills, to the end of the Alameda Canal south of Livermore.	

2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA-related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO12182009-1	Air Quality	12/10/2009	CO Register Vol. 32, No. 12	Adopted Rule	Colorado Department of Public Health and Environment. 5 CCR 1001 Air Quality Control Commission Announces the following revisions to 5 CCR 1001-14 Ambient Air Quality Standards: <ul style="list-style-type: none"> Revisions to Motor Vehicle Emission Budgets for Attainment/Maintenance Areas in the State of Colorado. Effective 12/30/2009.	
CO12182009-2	Water Quality	12/10/2009	CO Register Vol. 32, No. 12	Proposed Rule	Colorado Department of Public Health and Environment 5 CCR 1002 Water Quality Control Commission Proposes revisions to 5 CCR 1002-34 Regulation No. 34 Classification and Numeric Standards San Juan River and Dolores River Basins: <ul style="list-style-type: none"> Proposal to add "Type III" to the ammonia temporary modification for Segment 8c of the La Plata River, Mancos River, McElmo Creek, and San Juan River in Montezuma and Dolores counties. A hearing will be held on 02/08/2010 at CDPHE in Denver, Colorado.	

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL12182009-1	Air SIP	12/18/2009	FAW Notice #8039086	Notice Hearing	Chapter 62–FDEP Announces a hearing to discuss a proposal to submit to EPA a regional haze plan as a revision to Florida's SIP under the CAA. The proposal represents commitments and actions affecting reasonable progress during the 10-year period from 2008 to 2018 toward the goal of attaining natural visibility conditions in designated Federal "Class I areas" by 2064. It also provides for the implementation of BART. A public hearing will be held, if requested, 01/28/2010 in Tallahassee, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL12182009-2	Solid Waste Composting	12/04/2009	FAW Notice #8013381	Notice of Change	<p>Chapter 62–FDEP 709–Criteria for the Production and Use of Compost Made from Solid Waste.</p> <p>Changes have been made to the proposed rule published in FAW Notice #7892034 to amend Chapter 62-709, F.A.C., which contains regulations for processing yard trash and for composting solid waste. Changes are listed in the FAW Notice.</p>	
FL12182009-3	Water Environmental Resource Permits	11/09/2009	FAW Notice #8020656	Final Rule	<p>Chapter 62–FDEP 341–Noticed General Environmental Resource Permits 417–General Permit for Construction, Alteration, or Maintenance of Boat Ramps and Associated Accessory Docks.</p> <p>Finalizes rule amendments that address an existing noticed general environmental resource permit under Part IV of Chapter 373, F.S., for boat ramps and their associated accessory docks. Amendments include the following:</p> <ul style="list-style-type: none"> Conforming the general permit with the requirements of Section 373.118(5), F.S., including authorizing certain upland improvements associated with a boat ramp facility that is constructed, operated, and maintained by a governmental entity, provided that the ramp and associated facilities remain open to the general public for the life of the facility Expanding the geographical area where the general permit applies <p>Effective 12/09/2009.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL12182009-4	Water Pretreatment	12/18/2009	FAW Notice #7839557	Proposed Rule	<p>Chapter 62–FDEP 625–Pretreatment Requirements for Existing and Other Sources of Pollution.</p> <p>Proposes to amend Chapter 62-625, Pretreatment Requirements for Existing and Other Sources of Pollution, F.A.C., to incorporate changes that EPA made to 40 CFR Part 403, General Pretreatment Regulations for Existing and New Sources of Pollution. Amendments are intended to streamline procedures for approval and implementation of the pretreatment program. Proposed amendments are as follows:</p> <ul style="list-style-type: none"> ▪ Allow Control Authorities to authorize an IU subject to categorical Pretreatment Standards to reduce sampling of a pollutant if the IU demonstrates that a given pollutant is neither present nor expected to be present in the discharge. ▪ Allow Control Authorities to authorize the use of equivalent concentration limits in lieu of mass limits for CIUs in certain industrial categories. ▪ Allow Control Authorities to issue general control mechanisms to groups of SIUs that are substantially similar. ▪ Allow Control Authorities to reduce oversight of certain CIUs based on the percentage of contribution to the wastewater facility. ▪ Allow Control Authorities to reduce oversight of certain IUs that may be reclassified as NCSIUs. ▪ Provide greater flexibility in the use of certain sampling techniques. ▪ Allow, in certain circumstances, Control Authorities to express CIUs' concentration-based categorical Pretreatment Standards as equivalent mass limits. ▪ Clarify that wastewater facilities may use BMPs as alternatives to numeric limits that are developed to protect the wastewater treatment facility, water quality, and sewage sludge. ▪ Clarify the definition of significant noncompliance as it applies to violations of instantaneous and narrative requirements, and late reports. ▪ Make changes to the evaluation of local limits and evaluation of the need for a pretreatment program for certain discharges to UIC wells. <p>Proposed text is included in the FAW Notice. Comments due 01/08/2010.</p>	
FL12182009-5	Water SJRWMD	12/18/2009	FAW Notice #8040347	Notice Meeting	<p>Chapter 40C–SJRWMD</p> <p>Announces a meeting of the Projects and Land Committee to review SJRWMD water management and restoration projects, land management, and land acquisition activities in the southern region of the SJRWMD. The committee also will hold the District's Southern Recreational public meeting at this time. Scheduled for 01/07/2010 in Viera, Florida.</p>	

2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD12282009-1	Air VOCs	12/18/2009	36:24 Md.R. 2064	Proposed Action	<p>Department of Environment</p> <p>Volatile Organic Compounds (VOCs) from Specific Processes</p> <p>Proposes to amend COMAR 26.11.19 to adopt EPA's CTGs for paper, film, and foil coating. Proposed amendments affect sources located in ozone and PM nonattainment areas that coat pressure sensitive tape and labels, photographic film, industrial and decorative laminates, abrasive products, flexible packaging, corrugated and solid fiber boxes, die-cut paper paperboard, cardboard, converted paper and paperboard, folding paperboard boxes, manifold business forms and related products, plastic aseptic packaging, and carbon paper and inked ribbons. Amendments would establish VOC requirements for coating lines that have a potential to emit at least 25 tons of VOC per year. Sources either may meet VOC emission limits directly, through material substitution if necessary, or use an add-on emission control device to reduce VOC emissions by 90 percent. Comments due 01/21/2010. Public hearing on 01/21/2010.</p>	NASA programs should be aware of potential changes to coatings on covered items, such as tapes and packaging, manufactured in certain locations in Maryland.
MD12282009-2	Air VOCs	12/18/2009	36:24 Md.R. 2066	Proposed Action	<p>Department of Environment</p> <p>Volatile Organic Compounds (VOCs) from Specific Processes</p> <p>Proposes to amend COMAR 26.11.19 to adopt EPA's CTGs for industrial cleaning solvents. Proposed amendments would affect users of industrial cleaning solvents and apply to facilities that emit 15 pounds or more per day of VOCs. Amendments also would restrict usage of certain industrial solvent cleaning materials in mixing vessels (tanks), spray booths, and parts cleaners. Comments due 01/21/2010. Public hearing on 01/21/2010.</p>	NASA programs and facilities with cleaning operations or that have suppliers with cleaning operations in the state of Maryland should be aware of the proposed requirements that could result in materials substitutions.
MD12282009-3	Air VOCs	12/18/2009	36:24 Md.R. 2068	Proposed Action	<p>Department of Environment</p> <p>Volatile Organic Compounds (VOCs) from Specific Processes</p> <p>Proposes to amend COMAR 26.11.19 to adopt EPA's CTGs for flexible packaging printing. Proposed amendments would affect sources that use flexographic and rotogravure presses to print flexible packaging materials and set VOC standards for flexible packaging printing lines. Comments due 01/21/2010. Public hearing on 01/21/2010.</p>	NASA programs that have suppliers with covered operations in the state of Maryland should be aware of the proposed requirements that could result in materials substitutions.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD12282009-4	Air VOCs	12/18/2009	36:24 Md.R. 2073	Proposed Action	Department of Environment Volatile Organic Compounds (VOCs) from Specific Processes Proposes to amend COMAR 26.11.19 to repeal the general emission standard for adhesives under COMAR 26.11.19.15C(4) and replace it with the proposed source-specific VOC RACT emission limitation (25 pounds per day of VOCs from adhesive and sealant application, averaged over a monthly period) for the application of adhesives and sealants to specialty electronic systems and subsystems for defense and homeland security. Comments due 01/21/2010. Public hearing on 01/21/2010.	
MD12282009-5	Occupational Safety Crane Safety	12/18/2009	36:22 Md.R. 1994	Final Action	Department of Labor and Industry Crane Safety Amends regulations under COMAR 09.12.26 to clarify and update crane safety requirements. Effective 12/28/2009.	
MD12282009-6	Occupational Safety Tower Crane Safety	12/18/2009	36:26 Md.R. 1993	Emergency Action	Division of Labor and Industry Tower Crane Operator Certification Announces new emergency regulations under COMAR 09.12.27 that would prohibit an individual from operating a tower crane in Maryland unless the individual holds a certificate of competence. Certification process entails both a written and a practical examination Fees range from \$50 to \$165 per individual/written exam and from \$50 to \$60 per individual/practical exam. Emergency status expires 05/13/2010.	
MD12282009-7	Oil Pollution USTs	12/18/2009	36:24 Md.R. 2058	Proposed Action	Department of Environment Underground Storage Tanks (USTs) Proposes to amend COMAR 26.10.02 to clarify the testing of new gasoline UST systems in high-risk groundwater use areas. Comments due 01/19/2010.	
MD12282009-8	Oil Pollution USTs	12/18/2009	36:24 Md.R. 2060	Proposed Action	Department of Environment Trained Facility Operators Proposes to adopt regulations under COMAR 26.10.16 to implement federal grant guidelines by establishing requirements for the training, certification, duties, and responsibilities of Class A, Class B, Class C UST facility operators. Comments due 01/19/2010.	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM12182009-1	Species Canada Lynx	12/17/2009	74 FR 66937	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; 12-month Finding on a Petition To Change the Final Listing of the Distinct Population Segment of the Canada Lynx To Include New Mexico [50 CFR Part 17]</p> <p>Announces a 12-month finding on a petition to expand the listing of the Canada lynx to include the state of New Mexico. The finding is that the petition to change the boundary of the listing of Canada lynx is warranted, but precluded by higher-priority actions. Notes that Canada lynx regularly and frequently cross the state boundary between Colorado and New Mexico. When lynx cross the boundary, their status under the Act changes, leaving lynx in New Mexico without federal protection. This action adds lynx in New Mexico to the candidate species list with a listing priority number of 12. Announces that a proposed rule to amend the listing of lynx in the lower 48 states will be developed as priorities allow.</p>	

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH12182009-1	Air NAAQS--Ozone	12/09/2009	OEPA DAPC News	Proposed Rules	<p>Division of Air Pollution Control, OEPA</p> <p>Draft Amendments to OAC Chapters 3745-21, 3745-72, and 3745-110</p> <p>Proposes new rules related to VOC emissions, including emissions from certain coating operations, as well as amendments to existing rules regarding Low Reid Vapor Pressure Gasoline and NOx emissions from stationary sources. Further details regarding the draft revisions, including the synopsis and interested party notice, are available on the OEPA website. Comments due 01/08/2010.</p>	NASA facilities should consider reviewing the proposed rules to determine applicability.
OH12182009-2	Water TMDL Priority List for 2010	12/17/2009	Public Notice	Draft Report	<p>Division of Surface Water, OEPA</p> <p>Draft 2010 Integrated Report Section 303(d) TMDL Priority List for 2010</p> <p>Identifies waters of Ohio that currently are impaired and that may require TMDL development to meet water quality standards. Further details regarding the report, including the public notice, are available on the OEPA website. Comments due 02/08/2010.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH12182009-3	Water Water Quality Standards	12/15/2009	Public Notice	Final Rule	<p>Division of Surface Water, OEPA</p> <p>Amendments to OAC Chapters 3745-1-05 and 3745-1-07</p> <p>Finalizes revisions to certain Ohio water quality standards. Substantive changes include the following:</p> <ul style="list-style-type: none"> Aligns submittal, public notice, and public hearing requirements for Section 401 water quality certification projects with requirements of Ohio Revised Code section 6111.30. Revises the definitions of the recreation use designations. Removes fecal coliform water quality criteria and revises E. coli water quality criteria. <p>Further details regarding the revisions, including the public notice and response to comments, are available on the OEPA website. Effective 03/15/2010.</p>	NASA facilities should be aware of this final action.

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX12182009-1	Species Mussels	12/15/2009	74 FR 66260	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; 90-Day Finding on Petitions To List Nine Species of Mussels From Texas as Threatened or Endangered With Critical Habitat [50 CFR Part 17]</p> <p>Announces a 90-day finding that it may be warranted to list the following nine species of freshwater mussels as threatened or endangered:</p> <ul style="list-style-type: none"> Texas fatmucket Texas heelsplitter Salina mucket Golden orb Smooth pimpleback Texas pimpleback False spike Mexican fawnsfoot Texas fawnsfoot <p>Initiates a status review of the nine species of mussels to determine whether to list them. Solicits scientific and commercial data and other information regarding these species. Comments due 02/16/2010.</p>	

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT12182009-1	Air SIP	12/07/2009	74 FR 64077	Notice	U.S. Environmental Protection Agency Proposed Consent Decree, Clean Air Act Citizen Suit. Announces a proposed consent decree that would establish a deadline for EPA to take final action on determining whether Utah must revise portions of its SIP that include Utah's "breakdown provision," which addresses excess emissions resulting from the breakdown of pollution control equipment. Comments due 01/06/2010.	
UT12182009-2	Occupational Safety Industrial Accident Reporting	12/15/2009	UT Bull. Vol. 2009-24: DAR File No. 33230	Notice of Proposed Rule	Utah Labor Commission; Division of Occupational Safety and Health Administration Proceedings to Impose Non-Reporting Penalties Against Employers [UAC R612-13] The Utah Labor Commission has existing authority to impose penalties against employers who do not report industrial accidents in a timely fashion. The proposed rule would designate the initial imposition of a penalty as an "informal" adjudicative proceeding and all subsequent proceedings as "formal" adjudicative proceedings. Comments due 01/14/2010.	
UT12182009-3	Water Water Quality Standards	12/15/2009	UT Bull. Vol. 2009-24: DAR File No. 33233	Proposed Rule	Utah Department of Environmental Quality; Division of Water Quality Standards for Quality of Waters of the State [UAC R317-2]. Proposes to: <ul style="list-style-type: none"> Provide clarifying language and correct editorial errors throughout R317-2. Create new implementation procedures for completing technical, social, and economic needs demonstrations, determining adequacy of Level II ADRs, and determining additional water treatment requirements. Deleting portions of R317-2-3.5(b)(5) dealing with losses of assimilative capacity and Level II reviews that EPA deemed inadequate. Comments due 01/14/2010.	
UT12182009-4	Water Water Quality Standard Definitions	12/15/2009	UT Bull. Vol. 2009-24: DAR File No. 33232	Proposed Rule	Utah Department of Environmental Quality; Division of Water Quality Water Quality Standard Definitions: UAC R317-1-1 Proposes to add three definitions to the list of terms provided in UAC R317-1-1, including "assimilative capacity," "existing use," and "Great Salt Lake impounded wetlands." Comments due 01/14/2010.	

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA12182009-1	Pesticides	12/07/2009	26:7 Va.R. 771	Proposed Rule	Pesticide Control Board 2 Virginia Administrative Code (VAC) 20-60 Creates new Virginia regulations that will be equivalent to 40 CFR 165 regarding pesticide management and disposal, specifically container design, residue removal, repackaging, and pesticide containment structures. Comments due 01/06/2010.	